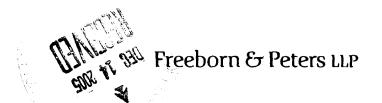
December 9, 2005

Re:

Dear Secretary Williams:

VIA FEDERAL EXPRESS

Mr. Vernon A. Williams Secretary Surface Transportation Board 1925 K Street, N.W. Washington, DC 20423-0001



Surface Transportation Board Docket No. AB-6 (Sub-No. 435X); Docket

No. AB-987X; The Burlington Northern and Santa Fe Railway Company

Attorneys at Law

311 South Wacker Drive Suite 3000 Chicago, Illinois 60606-6677 Tel 312.360.6000

Brian Nettles Paralegal Direct 312.360.6336 Fax 312.360.6596 bnettles@ freebornpeters.com

Sincerely,

Brian Nettles

Chicago

Springfield

/bn

Enclosures

215344

the Albany, IL abandonment, AB-6 (Sub-No. 435X); Docket No. AB-987X.

Enclosed is a recently received response we just received from the Village of Albany regarding

Abandonment of Albany, Illinois

21534,-

WEINSTINE, SHIRK & BUCKWALTER-SCHURMAN, P.C.

ATTORNEYS AT LAW 301 EAST MAIN STREET MORRISON, ILLINOIS 61270

LESTER S. WEINSTINE
WILLIAM R. SHIRK
MICHELLE B. BUCKWALTER-SCHURMAN

TELEPHONE (815) 772-7211 FAX (815) 772-4599 Mailing Address: P.O. Box 409 Morrison, IL 61270-0409

E-Mail Address for William R. Shirk: wrshirk@yahoo.com

In Reply Refer to File No. Albany

December 6, 2005

COLLEEN M. BUCKWALTER

ASSOCIATE:



Mr. Brian Nettles, Paralegal Freeborn & Peters LLP Attorneys at Law 311 South Wacker Drive, Suite 3000 Chicago, IL 60606-6677

Re: The BNSF Railway Company Abandonment of Albany, Illinois

Dear Mr. Nettles:

Our office will be representing the Village of Albany regarding the BNSF Railway Company Abandonment of 5.09 miles of railroad line between Railroad Mile Post # 20.36 to Mile Post # 25.40 near Albany, Illinois. The Board of Trustees of the Village has reviewed the Environmental and Historical Report.

It is the intention of the Village of Albany to file a request for both a public use condition and a trail use condition. Some of the reasons Albany intends to file for such conditions are as follows:

- 1. The railway line under consideration for abandonment travels through the entire length of the Village of Albany along the Mississippi River.
- 2. The line runs through the middle of the Stephen B. Hanks Boat Launch Area which is a public access area to the Mississippi River and boat launch area supported by significant public grants from the State of Illinois.
- 3. The line runs close to the Albany Mounds State Historic Site which is a preserved site of burial grounds for Indians and Indian artifacts.
- 4. The Village for many years has monitored the use of the railway closely hoping for an abandonment because of the need for the railway line for the Great River Recreational Trail. The abandoned railway line is vital to that Great River Recreational Trail.

Mr. Brian Nettles Page Two December 6, 2005

Thank you.

Very truly yours,

WEINSTINE, SHIRK & BUCKWALTER-SCHURMAN, P.C.

By:

William R. Shirk

WRS:so